

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	JUMA
Title	FILTER DEVICE FOR MOLTEN METAL FILTRATION
Serial Number	10/516,438
Filing Date	30 November 2004
Art Unit	1723
Examiner	Kurtz, Benjamin M.
Attorney Docket No.	1488 (04-79)

COMMUNICATION PURSUANT TO 37 C.F.R. § 1.133

To: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to the Interview Summary mailed 17 March 2008, Applicant presents the following record of the telephonic interview conducted in this application on 07 March 2008:

PARTICIPANTS

Examiner Benjamin Kurtz
Attorney Thomas Clinton for Applicant

EXHIBITS AND DEMONSTRATIONS

No exhibits were shown and no demonstrations were conducted.

CLAIMS DISCUSSED

Claims 12 and 22 were discussed.

PRIOR ART DISCUSSED

U.S. Patent No. 5,690,161 to Daussan
U.S. Patent No. 5,785,851 to Morris et al.
U.S. Patent No. 5,520,823 to Jones et al.
PCT Patent Publication No. WO 01/40414 A1 to Rogers

PROPOSED AMENDMENTS OF A SUBSTANTIVE NATURE

Proposed amendments to claims 12 and 22, and proposed cancellation of claims 27 and 28, were discussed. A copy of these proposed claims was provided to the Examiner by facsimile prior to the interview. No agreement was reached.

PRINCIPAL ARGUMENTS PRESENTED TO THE EXAMINER

1. Unconverted graphitizable carbon remains in the product of the present invention after the process step of heating in a non-oxidizing atmosphere. To avoid confusion of terminology, and to present claims that are clearly directed to a product rather than to an intermediate, Applicant proposed claims characterizing the product in terms of the process by which it is made.

Examiner stated that the proposed amendments should be formally entered, and would be considered with regards to the prior art.

2. Applicant presented claims in which the amount of graphitizable carbon would be limited to 15%. Applicant argued that this limitation would overcome the 35 U.S.C. § 103 rejection over U.S. Patent No. 5,690,160 to Daussan et al. in view of U.S. Patent No. 5,785,851 to Morris et al. and U.S. Patent No. 5,520,823 to Jones et al. Applicant also argued that this limitation would overcome the 35 U.S.C. § 103 rejection over PCT Document No. WO 01/40414 A1 to Rogers in view of U.S. Patent No. 5,690,161 to Daussan et al. and U.S. Patent No. 5,785,851 to Morris et al. None of these references teaches a product with a limitation of 15% or less graphitizable carbon. Any suggestion of the carbon content of the Rogers product is that it is predominantly graphitizable carbon.

Examiner stated that the proposed amendments should be formally entered, and would be considered with regards to the prior art.

OTHER PERTINENT MATTERS DISCUSSED

None

OUTCOME OF THE INTERVIEW

Examiner stated that the amendments and arguments should be formally entered.

Date: March 24, 2008

Respectfully submitted,

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